

FISCAL NOTE

Requested by Legislative Council
01/22/2009

Bill/Resolution No.: HB 1497

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2007-2009 Biennium		2009-2011 Biennium		2011-2013 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			\$581,834		\$610,910	
Appropriations			\$581,834		\$610,910	

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

2007-2009 Biennium			2009-2011 Biennium			2011-2013 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
			(\$581,834)			(\$610,910)		

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This Bill transfers the payment of attorney fees, for indigent individuals, from the county to the Department of Human Services for cases involving the commitment of sexually dangerous individuals.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Section 1 of the Bill would require the Department of Human Services, instead of the county of residence, to pay attorney fees for indigent individuals in cases involving the commitment of sexually dangerous individuals.

It is presumed there would be 50 new cases a biennium and that each case would require 85 hours of legal consultation at a rate of \$96.65 per hour. In addition, each of the existing 59 case receives an annual review which is estimated to use 15 hours of legal consultation per year.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The expenditures reflect the estimated cost of legal fees for the 50 new cases a biennium with each case using 85 hours of legal consultation at a rate of \$96.65 per hour. In addition, each of the existing 59 cases is estimated to use 15 hours of legal consultation per year.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

The Department's budget (HB 1012) does not include funding for these expenditures and would therefore need a

general fund appropriation of \$581,834.

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